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**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C 371**

2109.GLE.PT

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

10/070715INTERNATIONAL APPLICATION NO.
PCT/EP00/08614

INTERNATIONAL FILING DATE 4 Sept. 2000

PRIORITY DATE CLAIMED 7 Sept. 1999
and 23 Aug. 2000

TITLE OF INVENTION

DEVICE AND METHOD FOR FILLING CONTAINERS

APPLICANT(S) FOR DO/EO/US

Spatz, Günther;; Schwarz, Wolfhard; and Spether, Karl-Heinz

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☒ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☒ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)).
 - a. ☒ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☐ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☒ The annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
 - 1) Certificate of Mailing Under 37 USC Section 1.10
 - 2) Return Postcard

10070715 06 MAR 2002

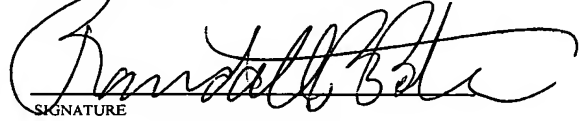
U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/070715		INTERNATIONAL APPLICATION NO. PCT/EP00/08614		ATTORNEY'S DOCKET NUMBER 2169.GLE.PT	
<p>21. <input type="checkbox"/> The following fees are submitted:</p> <p>BASIC NATIONAL FEE (37 CFR 1.492 (a)(1) - (5)):</p> <p>Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO \$1040.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO. \$890.00</p> <p>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$740.00</p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4). \$710.00</p> <p>International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4). \$100.00</p> <p>ENTER APPROPRIATE BASIC FEE AMOUNT =</p>				CALCULATIONS PTO USE ONLY	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input checked="" type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$130.00	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	20 =		X \$18.00	\$.00	
Independent claims	3 =		X \$84.00	\$.00	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$280.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$1020.00	
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
				+	
SUBTOTAL =				\$	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
				+	
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	\$
TOTAL FEES ENCLOSED =				\$1020.00	
				Amount to be refunded:	\$
				charged:	\$

- a. ☒ A credit card authorization in the amount of \$ 1020.00 to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. 50-0881 in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge additional fees which may be required, or credit any overpayment to Deposit Account No. 50-0881. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit car. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO :

Randall B. Bateman
MORRISS, BATEMAN, O'BRYANT & COMPAGNI
136 South Main Street, Suite 700
Salt Lake City, Utah 84101
(801) 478-0071 phone
(801) 478-0076 facsimile



SIGNATURE

Randall B. Bateman

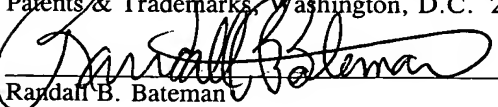
NAME

37,774

REGISTRATION NUMBER

CERTIFICATE OF DEPOSIT UNDER 37 C.F.R. § 1.10

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail, postage prepaid, under 37 C.F.R. § 1.10 on the date indicated below and is addressed to Asst. Commissioner for Patents & Trademarks, Washington, D.C. 20231.



Randall B. Bateman

6 March 2002
Date

MORRISS, BATEMAN, O'BRYANT & COMPAGNI

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Patents, Trademarks,
Copyrights, Trade Secrets
and Related Litigation

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‡ Also Admitted in Nevada

March 6, 2002

Assistant Commissioner
for Patents
Box PCT
Washington, D.C. 20231

Re: National Phase U.S. Patent Application for
DEVICE AND METHOD FOR FILLING CONTAINERS
Based on PCT Application No. PCT/EP00/08614, filed 4 September 2000
Claiming priority to: German Pat. App. No. 29923540.8, filed 7 September 1999 and
German Pat. App. No. 10041319.6, filed 23 August 2000
Applicants for U.S. Application: Günther Spatz, Wolfhard Schwarz and Karl-Heinz Spether
Citizenship of Applicants Germany
Our File No. 2169.GLE.PT

Dear Sir:

Transmitted herewith for filing the above-referenced application under 35 U.S.C. 371 are the following:

1. Transmittal Letter to the United States Designated/Elected Office Concerning A Filing Under 35 U.S.C. 371 and
2. A copy of the PCT Request and International Search Report.
3. A copy of the front page of the WO-publication.
4. A copy of the International Preliminary Examination Report, including annexes.
5. A copy of the PCT Application, which is in German, along with a translation thereof.
6. A preliminary Amendment.
7. A Certificate of Mailing by "Express Mail" certifying a filing date of March 6, 2002 by use of Express Mail No. EV062075304US.

10/070715

JC10 Rec'd PCT/PTO 06 MAR 2002

Assistant Commissioner
March 6, 2002
Page 2

8. A Credit Card Authorization in the amount of \$ 1020.
9. A post card for acknowledgment of receipt of the application.

Please direct all future correspondence to:

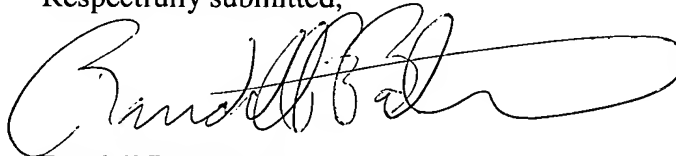
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Salt Lake City, Utah 84101

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The Commissioner is hereby authorized to charge any deficiency or credit any overpayment to Account No. 50-881.

Dated this 6th of March, 2002.

Respectfully submitted,



Randall B. Bateman
Registration No. 37,774

RBB/ws
Enclosures